

06-02-04 IFW RCE/632
cc

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

JUN 01 2004
Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	08/813,829
Filing Date	03/06/1997
First Named Inventor	Brigid L.M. Hogan
Group Art Unit	1632
Examiner Name	Woitach, Joseph T.
Attorney Docket Number	16016.0005US

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
Any unentered amendment(s) referred to above will be entered.
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on]
- iii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other 1) Request For Interference Pursuant To 37 C.F.R. §§ 1.604 And 1.607 and 2) Request for Extension of Time (4 months)

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37. C.F.R. § 1.103(c) for a period of ***** months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other *****

3. Fees

a. Check in the amount of \$***** enclosed for the fees designated below.

b. Payment by credit card in the amount of \$ 1125.00 for the fees designated below. (Form PTO-2038 enclosed).
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

c. The Director is hereby authorized to charge the amount of \$**** for the fees designated below to Deposit Account No. 14-0629.

d. Fees

- RCE fee required under 37 C.F.R. § 1.17(e) 06/03/2004 CCHAU1 00000038 08813829
- Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 02 FC:2801 385.00 OP
- Other _____

e. The Director is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 14-0629.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David G. Perryman	Registration No. (Attorney/Agent)	33,438
Signature		Date	6-1-04

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and any items indicated as attached or included [Choose one: are being deposited with the United States Postal Service as Express Mail, Label No. EL 9920 18835 US in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Name of Person Mailing(Print/Type)	Phillip A. Van Gelder		
Signature		Date	June 1, 2004

ATTORNEY DOCKET NO. 16016.0005US
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Hogan, Brigid L.M.) Art Unit: 1632
)
Application No. 08/813,829) Examiner: Woitach, Joseph
)
Filing Date: March 6, 1997) Confirmation No. 3939
)
For: STEM CELLS AND METHOD OF)
MAKING SAME)

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn. Examiner Joseph Woitach,
Art Unit 1632

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

Sir:

Responsive to the Office Action mailed on June 30, 2003 and further to a Notice of Appeal filed December 1, 2003, please amend the application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this Amendment.

Remarks begin on page 3 of this Amendment.

This amendment is filed concurrently with a Request for Interference Under 37 C.F.R. §§ 1.604 and 1.607 with United States Patent Application Nos. 09/982,637 and 09/761,289, and with United States Patents 6,200,806 and 5,843,780 respectively.